

1 deny the application for the license or license renewal or continuation. The
2 department of transportation may suspend licenses described in sub. (1) (d) 7. in lieu
3 of revoking those licenses. A suspension, revocation or denial under this subd. 1. a.
4 is not subject to administrative review or, except as provided in subd. 2. and sub. (5)
5 (am), judicial review. With respect to a license granted by a credentialing board, the
6 department of ~~regulation and licensing~~ safety and professional services shall make
7 a revocation or denial under this subd. 1. a. With respect to a license to practice law,
8 the department of revenue shall not submit a certification under this subd. 1. a. to
9 the supreme court until after the license holder or applicant has exhausted his or her
10 remedies under sub. (5) (a) and (am) or has failed to make use of such remedies.

11 ***-1465/P3.735* *-0808/2.252* SECTION 2233.** 73.0301 (2) (b) 1. b. of the
12 statutes is amended to read:

13 73.0301 (2) (b) 1. b. Mail a notice of suspension, revocation or denial under
14 subd. 1. a. to the license holder or applicant. The notice shall include a statement
15 of the facts that warrant the suspension, revocation or denial and a statement that
16 the license holder or applicant may, within 30 days after the date on which the notice
17 of denial, suspension or revocation is mailed, file a written request with the
18 department of revenue to have the certification of tax delinquency on which the
19 suspension, revocation or denial is based reviewed at a hearing under sub. (5) (a).
20 With respect to a license granted by a credentialing board, the department of
21 ~~regulation and licensing~~ safety and professional services shall mail a notice under
22 this subd. 1. b. With respect to a license to practice law, the department of revenue
23 shall mail a notice under this subd. 1. b. and the notice shall indicate that the license
24 holder or applicant may request a hearing under sub. (5) (a) and (am) and that the
25 department of revenue shall submit a certificate of delinquency to suspend, revoke,

1 or deny a license to practice law to the supreme court after the license holder or
2 applicant has exhausted his or her remedies under sub. (5) (a) and (am) or has failed
3 to make use of such remedies. A notice sent to a person who holds a license to practice
4 law or who is an applicant for a license to practice law shall also indicate that the
5 department of revenue may not submit a certificate of delinquency to the supreme
6 court if the license holder or applicant pays the delinquent tax in full or enters into
7 an agreement with the department of revenue to satisfy the delinquency.

8 ***-1465/P3.736* *-0808/2.253* SECTION 2234.** 73.0301 (2) (b) 2. of the statutes
9 is amended to read:

10 73.0301 (2) (b) 2. Except as provided in subd. 2m., if notified by the department
11 of revenue that the department of revenue has affirmed a certification of tax
12 delinquency after a hearing under sub. (5) (a), affirm a suspension, revocation or
13 denial under subd. 1. a. A license holder or applicant may seek judicial review under
14 ss. 227.52 to 227.60, except that the review shall be in the circuit court for Dane
15 County, of an affirmation of a revocation or denial under this subdivision. With
16 respect to a license granted by a credentialing board, the department of ~~regulation~~
17 ~~and licensing~~ safety and professional services shall make an affirmation under this
18 subdivision.

19 ***-1465/P3.737* *-0808/2.254* SECTION 2235.** 73.0301 (2) (b) 3. of the statutes
20 is amended to read:

21 73.0301 (2) (b) 3. If a person submits a nondelinquency certificate issued under
22 sub. (5) (b) 1., reinstate the license or grant the application for the license or license
23 renewal or continuation, unless there are other grounds for suspending or revoking
24 the license or for denying the application for the license or license renewal or
25 continuation. If reinstatement is required under this subdivision, a person is not

1 required to submit a new application or other material or to take a new test. No
2 separate fee may be charged for reinstatement of a license under this subdivision.
3 With respect to a license granted by a credentialing board, the department of
4 ~~regulation and licensing~~ safety and professional services shall reinstate a license or
5 grant an application under this subdivision.

6 ***-1465/P3.738* *-0808/2.255* SECTION 2236.** 73.0301 (2) (b) 4. of the statutes
7 is amended to read:

8 73.0301 (2) (b) 4. If a person whose license has been suspended or revoked or
9 whose application for a license or license renewal or continuation has been denied
10 under subd. 1. a. submits a nondelinquency certificate issued under sub. (3) (a) 2.,
11 reinstate the license or grant the person's application for the license or license
12 renewal or continuation, unless there are other grounds for not reinstating the
13 license or for denying the application for the license or license renewal or
14 continuation. With respect to a license granted by a credentialing board, the
15 department of ~~regulation and licensing~~ safety and professional services shall
16 reinstate a license or grant an application under this subdivision.

17 ***-1187/P4.417* SECTION 2237.** 73.12 (1) (b) of the statutes is amended to read:

18 73.12 (1) (b) "Vendor" means a person providing goods or services to this state
19 or the University of Wisconsin-Madison under subch. IV or V of ch. 16 or under ch.
20 84.

21 ***-1187/P4.418* SECTION 2238.** 73.12 (2) of the statutes is amended to read:

22 73.12 (2) REQUEST FOR SETOFF. The department of revenue may request the
23 department of administration to proceed under sub. (3) against any vendor who owes
24 a tax. A request under this subsection consists of identification of the vendor and of

SECTION 2238

1 the vendor's contracts with this state or the University of Wisconsin-Madison and
2 notice to the vendor of the request for a setoff.

3 ***-1187/P4.419* SECTION 2239.** 73.12 (3) of the statutes is amended to read:

4 73.12 (3) SETOFF. Upon receipt of a request under sub. (2), the department of
5 administration shall begin to set off against amounts owed by this state or the
6 University of Wisconsin-Madison to a vendor taxes owed to this state by that vendor
7 until those taxes are paid in full. If the secretary of administration determines,
8 within 30 days after receipt of a request for setoff, that the vendor against whom
9 setoff is requested is either an essential supplier of critical commodities or the only
10 vendor from whom a necessary good or service can be obtained and notifies the
11 secretary of revenue of that determination, the department of administration shall
12 waive the right of setoff and the department of administration shall pay to the vendor
13 the amounts set off. The department of administration or the University of
14 Wisconsin-Madison shall, within 30 days after the end of each calendar quarter,
15 transfer to the department of revenue the taxes set off during the previous calendar
16 quarter for deposit in the general fund, or in the transportation fund in respect to
17 taxes owed under ch. 78, and shall notify the department of revenue of the amounts
18 set off against each vendor.

19 ***-1187/P4.420* SECTION 2240.** 73.12 (5) of the statutes is amended to read:

20 73.12 (5) LIABILITY PRECLUDED. Exchange of information required to administer
21 this section does not result in liability under s. 71.78, 72.06, 77.61 (5), 78.80 (3) or
22 139.38 (6). The department of administration or the University of
23 Wisconsin-Madison is not liable to any vendor because of setoffs under this section.

24 ***-1187/P4.421* SECTION 2241.** 73.12 (7) of the statutes is amended to read:

1 73.12 (7) TAX IDENTIFICATION INFORMATION. The department of administration
2 and the University of Wisconsin-Madison may collect from vendors and provide to
3 the department of revenue any tax identification information that the department
4 of revenue requires to administer the program under this section.

5 ***-1050/P2.10* SECTION 2242.** 74.01 (5) of the statutes is amended to read:

6 74.01 (5) "Special tax" means any amount entered in the tax roll which is not
7 a general property tax, special assessment or special charge. "Special tax" includes
8 any interest and penalties assessed for nonpayment of the tax before it is placed in
9 the tax roll ~~and any charge under s. 287.093 (1) (a) 2. that is placed on the tax roll~~
10 ~~under s. 287.093 (2).~~

11 ***-1465/P3.739* *-1059/P3.474* SECTION 2243.** 75.106 (1) (a) of the statutes
12 is amended to read:

13 75.106 (1) (a) "Brownfield" has the meaning given in s. ~~560.13~~ 238.13 (1) (a),
14 except that, for purposes of this section, "brownfield" also means abandoned, idle, or
15 underused residential facilities or sites, the expansion or redevelopment of which is
16 adversely affected by actual or perceived environmental contamination.

17 ***-1220/P1.1* SECTION 2244.** 76.24 (2) (a) of the statutes is amended to read:

18 76.24 (2) (a) All taxes paid by any railroad company derived from or
19 apportionable to repair facilities, docks, ore yards, piers, wharves, grain elevators,
20 and their approaches, or car ferries on the basis of the separate valuation provided
21 for in s. 76.16, shall be distributed annually from the transportation fund to the
22 towns, villages, and cities in which they are located, pursuant to certification made
23 by the department of revenue on or before August 15. Beginning with amounts
24 distributed in 2011, the amount distributed to any town, village, or city under this

1 paragraph may not be less than the amount distributed to it in 2010 under this
2 paragraph.

3 ***-1465/P3.740* *-1059/P3.475* SECTION 2245.** 76.635 (1) (a) of the statutes
4 is amended to read:

5 76.635 (1) (a) "Certified capital company" has the meaning given in s. 560.29
6 (1) (a), 2009 stats.

7 ***-1465/P3.741* *-1059/P3.476* SECTION 2246.** 76.635 (1) (b) of the statutes
8 is amended to read:

9 76.635 (1) (b) "Certified capital investment" has the meaning given in s. 560.29
10 (1) (b), 2009 stats.

11 ***-1465/P3.742* *-1059/P3.477* SECTION 2247.** 76.635 (1) (c) of the statutes
12 is amended to read:

13 76.635 (1) (c) "Investment date" has the meaning given in s. 560.29 (1) (d), 2009
14 stats.

15 ***-1465/P3.743* *-1059/P3.478* SECTION 2248.** 76.635 (1) (d) of the statutes
16 is amended to read:

17 76.635 (1) (d) "Investment pool" has the meaning given in s. 560.29 (1) (e), 2009
18 stats.

19 ***-1465/P3.744* *-1059/P3.479* SECTION 2249.** 76.635 (1) (e) of the statutes
20 is amended to read:

21 76.635 (1) (e) "Qualified investment" has the meaning given in s. 560.29 (1) (g),
22 2009 stats.

23 ***-1465/P3.745* *-1059/P3.480* SECTION 2250.** 76.636 (1) (b) 1. of the statutes
24 is amended to read:

25 76.636 (1) (b) 1. A development zone under s. 238.30 or s. 560.70, 2009 stats.

***-1465/P3.746* *-1059/P3.481* SECTION 2251.** 76.636 (1) (b) 2. of the statutes
is amended to read:

76.636 (1) (b) 2. A development opportunity zone under s. 238.395 or s. 560.795,
2009 stats.

***-1465/P3.747* *-1059/P3.482* SECTION 2252.** 76.636 (1) (b) 3. of the statutes
is amended to read:

76.636 (1) (b) 3. An enterprise development zone under s. 238.397 or s. 560.797,
2009 stats.

***-1465/P3.748* *-1059/P3.483* SECTION 2253.** 76.636 (1) (b) 4. of the statutes
is amended to read:

76.636 (1) (b) 4. An agricultural development zone under s. 238.398 or s.
560.798, 2009 stats.

***-1195/1.134* SECTION 2254.** 76.636 (1) (e) 13. of the statutes is amended to
read:

76.636 (1) (e) 13. A ~~food stamp~~ recipient of benefits under the supplemental
nutrition assistance program under 7 USC 2011 to 2036.

***-1465/P3.749* *-1059/P3.484* SECTION 2255.** 76.636 (2) (intro.) of the
statutes is amended to read:

76.636 (2) CREDITS. (intro.) Except as provided in s. 73.03 (35), and subject to
s. 238.385 or s. 560.785, 2009 stats., for any taxable year for which an insurer is
entitled under s. 238.395 or s. 560.795 (3), 2009 stats., to claim tax benefits or
certified under s. 238.365 (3), 238.397 (4), or 238.398 (3) or s. 560.765 (3), 2009 stats.,
s. 560.797 (4), 2009 stats., or s. 560.798 (3), 2009 stats., the insurer may claim as a
credit against the fees due under s. 76.60, 76.63, 76.65, 76.66, or 76.67 the following
amounts:

1 ***-1465/P3.750* *-1059/P3.485* SECTION 2256.** 76.636 (2) (b) of the statutes
2 is amended to read:

3 76.636 (2) (b) The amount determined by multiplying the amount determined
4 under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number of full-time
5 jobs created in a development zone and filled by a member of a targeted group and
6 by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and
7 reimbursements paid under s. 49.147 (3m) (c) for those jobs.

8 ***-1465/P3.751* *-1059/P3.486* SECTION 2257.** 76.636 (2) (c) of the statutes
9 is amended to read:

10 76.636 (2) (c) The amount determined by multiplying the amount determined
11 under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time
12 jobs created in a development zone and not filled by a member of a targeted group
13 and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and
14 reimbursements paid under s. 49.147 (3m) (c) for those jobs.

15 ***-1465/P3.752* *-1059/P3.487* SECTION 2258.** 76.636 (2) (d) of the statutes
16 is amended to read:

17 76.636 (2) (d) The amount determined by multiplying the amount determined
18 under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of
19 full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009
20 stats., excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in an
21 enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for
22 which significant capital investment was made and by then subtracting the
23 subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid
24 under s. 49.147 (3m) (c) for those jobs.

1 ***-1465/P3.753* *-1059/P3.488* SECTION 2259.** 76.636 (2) (e) of the statutes
2 is amended to read:

3 76.636 (2) (e) The amount determined by multiplying the amount determined
4 under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time
5 jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats.,
6 excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in a
7 development zone and not filled by a member of a targeted group and by then
8 subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and
9 reimbursements paid under s. 49.147 (3m) (c) for those jobs.

10 ***-1465/P3.754* *-1059/P3.489* SECTION 2260.** 76.636 (4) (intro.) of the
11 statutes is amended to read:

12 76.636 (4) CREDIT PRECLUDED. (intro.) If the certification of a person for tax
13 benefits under s. 238.365 (3), 238.397 (4), or 238.398 (3) or s. 560.765 (3), 2009 stats.,
14 s. 560.797 (4), 2009 stats., or s. 560.798 (3), 2009 stats., is revoked, or if the person
15 becomes ineligible for tax benefits under s. 238.395 (3) or s. 560.795 (3), 2009 stats.,
16 that person may not do any of the following:

17 ***-1465/P3.755* *-1059/P3.490* SECTION 2261.** 76.636 (5) of the statutes is
18 amended to read:

19 76.636 (5) CARRY-OVER PRECLUDED. If a person who is entitled under s. 238.395
20 (3) or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s. 238.365 (3),
21 238.397 (4), or 238.398 (3) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats.,
22 or s. 560.798 (3), 2009 stats., for tax benefits ceases business operations in the
23 development zone during any of the taxable years that that zone exists, that person
24 may not carry over to any taxable year following the year during which operations

1 cease any unused credits from the taxable year during which operations cease or
2 from previous taxable years.

3 ***-1465/P3.756* *-1059/P3.491* SECTION 2262.** 76.636 (6) of the statutes is
4 amended to read:

5 76.636 (6) ADMINISTRATION. Any insurer who claims a credit under sub. (2) shall
6 include with the insurer's annual return under s. 76.64 a copy of its certification for
7 tax benefits and a copy of its verification of expenses from the department of
8 commerce or the Wisconsin Economic Development Corporation.

9 ***-1465/P3.757* *-1059/P3.492* SECTION 2263.** 76.637 (1) of the statutes is
10 amended to read:

11 76.637 (1) DEFINITION. In this section, "claimant" means an insurer who files
12 a claim under this section and is certified under s. 238.301 (2) or s. 560.701 (2), 2009
13 stats., and authorized to claim tax benefits under s. 238.303 or s. 560.703, 2009 stats.

14 ***-1465/P3.758* *-1059/P3.493* SECTION 2264.** 76.637 (2) of the statutes is
15 amended to read:

16 76.637 (2) FILING CLAIMS. Subject to the limitations under this section, ss.
17 238.301 to 238.306, and ss. 560.701 to 560.706, 2009 stats., for taxable years
18 beginning after December 31, 2008, a claimant may claim as a credit against the fees
19 due under s. 76.60, 76.63, 76.65, 76.66, or 76.67 the amount authorized for the
20 claimant under s. 238.303 or s. 560.703, 2009 stats.

21 ***-1465/P3.759* *-1059/P3.494* SECTION 2265.** 76.637 (3) of the statutes is
22 amended to read:

23 76.637 (3) LIMITATIONS. No credit may be allowed under this section unless the
24 insurer includes with the insurer's annual return under s. 76.64 a copy of the
25 claimant's certification under s. 238.301 (2) or s. 560.701 (2), 2009 stats., and a copy

1 of the claimant's notice of eligibility to receive tax benefits under s. 238.303 (3) or s.
2 560.703 (3), 2009 stats.

3 ***-1465/P3.760* *-1059/P3.495* SECTION 2266.** 76.637 (4) of the statutes is
4 amended to read:

5 76.637 (4) ADMINISTRATION. If an insurer's certification is revoked under s.
6 238.305 or s. 560.705, 2009 stats., or if an insurer becomes ineligible for tax benefits
7 under s. 238.302 or s. 560.702, 2009 stats., the insurer may not claim credits under
8 this section for the taxable year that includes the day on which the certification is
9 revoked; the taxable year that includes the day on which the insurer becomes
10 ineligible for tax benefits; or succeeding taxable years and the insurer may not carry
11 over unused credits from previous years to offset the fees imposed under ss. 76.60,
12 76.63, 76.65, 76.66, or 76.67 for the taxable year that includes the day on which
13 certification is revoked; the taxable year that includes the day on which the insurer
14 becomes ineligible for tax benefits; or succeeding taxable years.

15 ***-1465/P3.761* *-1059/P3.496* SECTION 2267.** 76.638 (1) of the statutes is
16 amended to read:

17 76.638 (1) DEFINITIONS. In this section, "fund manager" means an investment
18 fund manager certified under s. 238.15 (2) or s. 560.205 (2), 2009 stats.

19 ***-1465/P3.762* *-1059/P3.497* SECTION 2268.** 76.638 (2) of the statutes is
20 amended to read:

21 76.638 (2) FILING CLAIMS. For taxable years beginning after December 31, 2008,
22 subject to the limitations provided under this subsection and s. 238.15 or s. 560.205,
23 2009 stats., an insurer may claim as a credit against the fees imposed under s. 76.60,
24 76.63, 76.65, 76.66, or 76.67, 25 percent of the insurer's investment paid to a fund

manager that the fund manager invests in a business certified under s. 238.15 or s. 560.205 (1), 2009 stats.

***-1320/1.28* SECTION 2269.** Chapter 77 (title) of the statutes is amended to read:

CHAPTER 77

TAXATION OF FOREST CROPLANDS;

REAL ESTATE TRANSFER FEES;

SALES AND USE TAXES; COUNTY,

TRANSIT AUTHORITY, AND

SPECIAL DISTRICT SALES AND USE

TAXES; MANAGED FOREST LAND;

RECYCLING ECONOMIC DEVELOPMENT

SURCHARGE; LOCAL FOOD

AND BEVERAGE TAX;

LOCAL RENTAL CAR TAX; PREMIER

RESORT AREA TAXES;

STATE RENTAL VEHICLE FEE;

DRY CLEANING FEES;

SOUTHEASTERN REGIONAL

TRANSIT AUTHORITY FEE

***-1465/P3.763* *-0808/2.256* SECTION 2270.** 77.22 (2) (d) of the statutes is amended to read:

77.22 (2) (d) If the real estate transferred is not subject to certification under s. 101.122 (4) (a), waiver under s. 101.122 (4) (b) or stipulation under s. 101.122 (4)

1 (c), the reason why it is not so subject or the form prescribed by the department of
2 ~~commerce~~ safety and professional services under s. 101.122 (6).

3 ***-1218/P1.1* SECTION 2271.** 77.54 (5) (am) of the statutes is created to read:

4 77.54 (5) (am) Modular homes, as defined in s. 101.71 (6), and manufactured
5 homes, as defined in s. 101.91 (2), that are used in real property construction
6 activities outside this state.

7 ***-1187/P4.422* SECTION 2272.** 77.54 (9a) (a) of the statutes, as affected by
8 2011 Wisconsin Act 7, is amended to read:

9 77.54 (9a) (a) This state or any agency thereof, the University of Wisconsin
10 Hospitals and Clinics Authority, the University of Wisconsin-Madison, the
11 Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority,
12 the Wisconsin Quality Home Care Authority, the Wisconsin Economic Development
13 Corporation, and the Fox River Navigational System Authority.

****NOTE: The above exempts the UW from paying state and local sales and use
taxes.

14 ***-1219/P2.1* SECTION 2273.** 77.54 (11m) of the statutes is created to read:

15 77.54 (11m) The sales price from the sales of and the storage, use, or other
16 consumption of vegetable oil or animal fat that is converted into motor vehicle fuel
17 that is exempt under s. 78.01 (2n) from the taxes imposed under s. 78.01 (1).

18 ***-0711/P4.2* SECTION 2274.** 77.61 (21) of the statutes is created to read:

19 77.61 (21) Beginning with the taxes that the department receives on July 1,
20 2012, the department shall annually estimate the amount of, and deposit into the
21 transportation fund, the following percentages of the taxes collected under ss. 77.52
22 and 77.53 on the sale, lease, or use of motor vehicles and motor vehicle parts and
23 accessories:

(a) For fiscal year 2012-13, 7.5 percent, except that the amount deposited under this paragraph may not exceed \$35,127,000.

(b) For fiscal year 2013-14, 10 percent.

(c) For fiscal year 2014-15, 15 percent.

(d) For fiscal year 2015-16, 20 percent.

(e) For fiscal year 2016-17, 25 percent.

(f) For fiscal year 2017-18, 30 percent.

(g) For fiscal year 2018-19, 35 percent.

(h) For fiscal year 2019-20, 40 percent.

(i) For fiscal year 2020-21, 45 percent.

(j) For fiscal year 2021-22, and for each fiscal year thereafter, 50 percent.

***-1388/1.5* SECTION 2275.** 77.708 (1) of the statutes is amended to read:

77.708 (1) A transit authority created under s. 66.1039, by resolution and referendum under s. 66.1039 (4) (s), may impose a sales tax and a use tax under this subchapter at a rate not to exceed 0.5 percent of the sales price or purchase price. Those taxes may be imposed only in their entirety. The resolution and referendum shall be effective on the first day of the first calendar quarter that begins at least 120 days after the adoption of the resolution and affirmative result of the referendum.

***-1320/1.29* SECTION 2276.** Subchapter VII (title) of chapter 77 [precedes 77.92] of the statutes is amended to read:

CHAPTER 77

SUBCHAPTER VII

RECYCLING ECONOMIC DEVELOPMENT SURCHARGE

***-1320/1.30* SECTION 2277.** 77.93 (intro.) of the statutes is amended to read:

1 **77.93 Applicability.** (intro.) For the privilege of doing business in this state,
2 there is imposed ~~a recycling~~ an economic development surcharge on the following
3 entities:

4 ***-1320/1.31* SECTION 2278.** 77.96 (6) of the statutes is amended to read:

5 77.96 (6) The department of revenue shall refer to the surcharge under this
6 subchapter as the ~~recycling~~ economic development surcharge.

7 ***-1320/1.32* SECTION 2279.** 77.97 of the statutes is amended to read:

8 **77.97 Use of revenue.** The department of revenue shall deposit the
9 surcharge, interest and penalties collected under this subchapter in the ~~recycling~~
10 ~~and renewable energy~~ economic development fund under s. 25.49.

11 ***-1052/P6.1* SECTION 2280.** 79.01 (2d) of the statutes is amended to read:

12 79.01 (2d) There is established an account in the general fund entitled the
13 "County and Municipal Aid Account." ~~Beginning with the distributions in 2011, the~~
14 The total amount to be distributed each year in 2011 to counties and municipalities
15 from the county and municipal aid account is \$824,825,715 and the total amount to
16 be distributed to counties and municipalities in 2012, and in each year thereafter,
17 from the county and municipal aid account is \$709,038,315.

18 ***-0809/3.24* SECTION 2281.** 79.02 (3) (e) of the statutes is amended to read:

19 79.02 (3) (e) For the distribution in 2004 and subsequent years, the total
20 amount of the November payments to each county and municipality under s. 79.035
21 shall be reduced by an amount equal to the amount of supplements paid from the
22 appropriation accounts under s. 20.435 (4) (b) and (gm) that the county or
23 municipality received for the fiscal year in which a payment is made under this
24 section, as determined under s. 49.45 (51).

25 ***-1052/P6.2* SECTION 2282.** 79.02 (5) of the statutes is created to read:

1 79.02 (5) (a) For the distribution in 2012, the total amount of the payments to
2 all municipalities from the county and municipal aid account shall be reduced by
3 \$72,889,000 and the total amount of the payments to all counties from the county and
4 municipal aid account shall be reduced by \$42,898,400.

5 (b) 1. To calculate the reduction under this subsection for each municipality, the
6 department of revenue shall first divide \$72,889,000 by the total population of all
7 municipalities. The department shall then adjust the result of the calculation to
8 establish a per capita amount applied to all municipalities so that the reduction for
9 each municipality is no more than the maximum allowable reduction under this
10 subsection for that municipality and so that the total reductions to county and
11 municipal aid payments for municipalities under this subsection is \$72,889,000.

12 2. To calculate the reduction under this subsection for each county, the
13 department of revenue shall first divide \$42,898,400 by the total population of all
14 counties. The department shall then adjust the result of the calculation to establish
15 a per capita amount applied to all counties so that the reduction for each county is
16 no more than the maximum allowable reduction under this subsection for that
17 county and so that the total reductions to county and municipal aid payments for
18 counties under this subsection is \$42,898,400.

19 (c) The reduction for a municipality that has a population of less than 2,500 is
20 the amount calculated by multiplying the amount determined under par. (b) 1. by the
21 municipality's population, multiplied by the quotient of the municipality's
22 population divided by 2,500, except that the reduction determined under this
23 paragraph may not exceed the lesser of an amount equal to 60 percent of the
24 municipality's payment from the county and municipal aid account in 2011 or 10

1 cents for each \$1,000 of the municipality's equalized value, as determined under s.
2 70.57.

3 (d) 1. The reduction for a municipality that has a population of at least 2,500,
4 but no greater than 10,000, is the amount equal to 10 cents for each \$1,000 of the
5 municipality's equalized value, as determined under s. 70.57, plus the amount
6 determined as follows:

7 a. Multiply the amount determined under par. (b) 1. by the municipality's
8 population.

9 b. Subtract 2,500 from the municipality's population.

10 c. Divide the number determined under subd. 1. b. by 7,500.

11 d. Multiply the number determined under subd. 1. a. by the number
12 determined under subd. 1. c.

13 2. The reduction determined under this paragraph may not exceed the lesser
14 of an amount equal to 60 percent of the municipality's payment from the county and
15 municipal aid account in 2011 or 20 cents for each \$1,000 of the municipality's
16 equalized value, as determined under s. 70.57.

17 (e) 1. The reduction for a municipality that has a population greater than
18 10,000, but no greater than 50,000, is the amount equal to 20 cents for each \$1,000
19 of the municipality's equalized value, as determined under s. 70.57, plus the amount
20 determined as follows:

21 a. Multiply the amount determined under par. (b) 1. by the municipality's
22 population.

23 b. Subtract 10,000 from the municipality's population.

24 c. Divide the number determined under subd. 1. b. by 40,000.

1 d. Multiply the number determined under subd. 1. a. by the number
2 determined under subd. 1. c.

3 2. The reduction determined under this paragraph may not exceed the lesser
4 of an amount equal to 60 percent of the municipality's payment from the county and
5 municipal aid account in 2011 or 30 cents for each \$1,000 of the municipality's
6 equalized value, as determined under s. 70.57.

7 (f) 1. The reduction for a municipality that has a population greater than
8 50,000, but no greater than 110,000, is the amount equal to 30 cents for each \$1,000
9 of the municipality's equalized value, as determined under s. 70.57, plus the amount
10 determined as follows:

11 a. Multiply the amount determined under par. (b) 1. by the municipality's
12 population.

13 b. Subtract 50,000 from the municipality's population.

14 c. Divide the number determined under subd. 1. b. by 60,000.

15 d. Multiply the number determined under subd. 1. a. by the number
16 determined under subd. 1. c.

17 2. The reduction determined under this paragraph may not exceed the lesser
18 of an amount equal to 60 percent of the municipality's payment from the county and
19 municipal aid account in 2011 or 40 cents for each \$1,000 of the municipality's
20 equalized value, as determined under s. 70.57.

21 (g) The reduction for a municipality that has a population greater than 110,000
22 is the lesser of an amount equal to 60 percent of the municipality's payment from the
23 county and municipal aid account in 2011 or 50 cents for each \$1,000 of the
24 municipality's equalized value, as determined under s. 70.57.

(h) The reduction for a county is the amount determined under par. (b) 2. multiplied by the county's population, except that the reduction determined under this paragraph may not exceed the lesser of an amount equal to 60 percent of the county's payment from the county and municipal aid account in 2011 or \$0.20 for each \$1,000 of the county's equalized value, as determined under s. 70.57.

***-1052/P6.3* SECTION 2283.** 79.035 (1) of the statutes is amended to read:

79.035 (1) In 2004 and subsequent years, except as provided under s. 79.02 (4) and (5), each county and municipality shall receive a payment from the county and municipal aid account and, beginning with payments in November 2009, from the appropriation accounts under s. 20.835 (1) (q) and (r) in an amount determined under sub. (2).

***-1465/P3.764* *-1059/P3.498* SECTION 2284.** 79.04 (7) (a) of the statutes is amended to read:

79.04 (7) (a) Beginning with payments in 2005, if a production plant, as described in sub. (6) (a), other than a nuclear-powered production plant, is built on the site of, or on a site adjacent to, an existing or decommissioned production plant; or is built on a site purchased by a public utility before January 1, 1980, that was identified in an advance plan as a proposed site for a production plant; or is built on, or on a site adjacent to, brownfields, as defined in s. 238.13 (1) (a) or s. 560.13 (1) (a), 2009 stats., after December 31, 2003, and has a name-plate capacity of at least one megawatt, each municipality and county in which such a production plant is located shall receive annually from the public utility account a payment in an amount that is equal to the number of megawatts that represents the production plant's name-plate capacity, multiplied by \$600.

***-1052/P6.4* SECTION 2285.** 79.043 (6) of the statutes is amended to read:

1 79.043 (6) For the distribution in 2011 and subsequent years, each county and
2 municipality shall receive a payment under this section and s. 79.035 that is equal
3 to the amount of the payment determined for the county or municipality under s.
4 79.02 (4) in 2010.

5 ***-1052/P6.5* SECTION 2286.** 79.043 (7) of the statutes is created to read:

6 79.043 (7) For the distribution in 2012 and subsequent years, each county and
7 municipality shall receive a payment under this section and s. 79.035 that is equal
8 to the amount of the payment determined for the county or municipality under s.
9 79.02 (5) for 2012.

10 ***-0642/P3.1* SECTION 2287.** 79.05 (1) (am) of the statutes is amended to read:

11 79.05 (1) (am) "Inflation factor" means a percentage equal to the average
12 annual percentage change in the U.S. consumer price index for all urban consumers,
13 U.S. city average, as determined by the U.S. department of labor, for the 12 months
14 ending on September 30 of the year before the statement under s. 79.015, except that
15 the percentage under this paragraph shall not be less than ~~3 percent~~ zero.

16 ***-1465/P3.765* *-1059/P3.499* SECTION 2288.** 84.01 (6m) (b) (intro.) of the
17 statutes is amended to read:

18 84.01 (6m) (b) (intro.) The department, in consultation with the department
19 of commerce Wisconsin Economic Development Corporation, shall do all of the
20 following for each economic development program administered by the department:

21 ***-1465/P3.766* *-1059/P3.500* SECTION 2289.** 84.01 (11m) (title) of the
22 statutes is amended to read:

23 84.01 (11m) (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND
24 REPORTING.

1 ***-1465/P3.767* *-1059/P3.501* SECTION 2290.** 84.01 (11m) of the statutes is
2 renumbered 84.01 (11m) (b) and amended to read:

3 84.01 **(11m)** (b) Annually, no later than October 1, the department shall submit
4 to the joint legislative audit committee and to the appropriate standing committees
5 of the legislature under s. 13.172 (3) a comprehensive report assessing economic
6 development programs, as defined in sub. (6m) (a), administered by the department.
7 The report shall include all of the information required under s. ~~560.01 (2) (am)~~
8 238.07 (2). The department shall collaborate with the ~~department of commerce~~
9 Wisconsin Economic Development Corporation to make readily accessible to the
10 public on an Internet-based system the information required under this subsection.

11 ***-1465/P3.768* *-1059/P3.502* SECTION 2291.** 84.01 (11m) (a) of the statutes
12 is created to read:

13 84.01 **(11m)** (a) The department shall coordinate any economic development
14 assistance with the Wisconsin Economic Development Corporation.

15 ***-1252/P3.7* SECTION 2292.** 84.01 (13) of the statutes is renumbered 84.01
16 (13) (b) and amended to read:

17 84.01 **(13)** (b) The department may engage such engineering, consulting,
18 surveying, or other specialized services as it deems advisable. Any engagement of
19 services under this subsection is exempt from ss. 16.70 to 16.75, 16.755 to 16.82, and
20 16.85 to 16.89, but ss. 16.528, 16.752, 16.753, and 16.754 apply to such engagement.
21 Any engagement involving an expenditure of \$3,000 or more shall be by formal
22 contract approved by the governor. The department shall conduct a uniform
23 cost-benefit analysis, ~~as defined in s. 16.70 (3g)~~, of each proposed engagement under
24 this subsection that involves an estimated expenditure of more than \$25,000 in
25 accordance with standards prescribed by rule of the department. The department

shall review periodically, and before any renewal, the continued appropriateness of contracting pursuant to each engagement under this subsection that involves an estimated expenditure of more than \$25,000.

***-1403/3.18* SECTION 2293.** 84.01 (33) (c) of the statutes is repealed.

***-1403/3.19* SECTION 2294.** 84.013 (1) (a) (intro.) of the statutes is amended to read:

84.013 (1) (a) (intro.) "Major highway project" means a project, except a project providing an approach to a bridge over a river that forms a boundary of the state or a southeast Wisconsin freeway rehabilitation project under s. 84.014, which megaproject under s. 84.0145, that satisfies any of the following:

1m. The project has a total cost of more than ~~\$5,000,000~~ \$30,000,000, subject to adjustment under sub. (2m), and ~~which~~ involves any of the following:

***-1403/3.20* SECTION 2295.** 84.013 (1) (a) 1. of the statutes is renumbered 84.013 (1) (a) 1m. a.

***-1403/3.21* SECTION 2296.** 84.013 (1) (a) 2. (intro.), a. and b. of the statutes are consolidated, renumbered 84.013 (1) (a) 1m. b. and amended to read:

84.013 (1) (a) 1m. b. Reconstructing or reconditioning an existing highway by either of the following: ~~a. Relocating~~ relocating 2.5 miles or more of the existing highway. ~~b. Adding or adding~~ one or more lanes 5 miles or more in length to the existing highway.

***-1403/3.22* SECTION 2297.** 84.013 (1) (a) 2m. of the statutes is created to read:

84.013 (1) (a) 2m. The project has a total cost of more than \$75,000,000, subject to adjustment under sub. (2m).

***-1403/3.23* SECTION 2298.** 84.013 (1) (a) 3. of the statutes is renumbered 84.013 (1) (a) 1m. c.

1 ***-1403/3.24* SECTION 2299.** 84.013 (2) (a) of the statutes is amended to read:

2 84.013 (2) (a) Subject to ss. 84.014 (6) (b), 84.555, and 86.255, major highway
3 projects shall be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and
4 (ct) and (4) (jq) and 20.866 (2) (ur) to (uum) and (uus).

5 ***-1403/3.25* SECTION 2300.** 84.013 (2) (b) of the statutes is amended to read:

6 84.013 (2) (b) Except as provided in ss. 84.014, 84.03 (3), and 84.555, and
7 subject to ~~s.~~ ss. 84.014 (6) (c) and 86.255, reconditioning, reconstruction and
8 resurfacing of highways shall be funded from the appropriations under ss. 20.395 (3)
9 (cq) to (cx) and 20.866 (2) (uur) and (uut).

10 ***-1403/3.26* SECTION 2301.** 84.013 (2m) of the statutes is created to read:

11 84.013 (2m) The department shall annually adjust the amounts specified in
12 sub. (1) (a) 1m. and 2m. to reflect the annual change in the Wisconsin Department
13 of Transportation Price Index, Yearly Moving Average, as maintained by the
14 department or, if at any time the department no longer maintains this index, another
15 suitable index as determined by the department. Beginning in 2012, prior to October
16 1 of each year, the department shall compute the annual adjustment required under
17 this subsection and shall publish the new adjusted amount applicable under sub. (1)
18 (a) 1m. and 2m., which amount shall become effective on October 1 of that year. The
19 department may not adjust the amounts specified in sub. (1) (a) 1m. and 2m. to an
20 amount less than that specified in sub. (1) (a) 1m. and 2m.

21 ***-1403/3.27* SECTION 2302.** 84.013 (3) (ad) of the statutes is created to read:

22 84.013 (3) (ad) Notwithstanding s. 13.489 (4) (c), any project approved by the
23 transportation projects commission under s. 13.489 (4m) (b).

24 ***-1168/1.1* SECTION 2303.** 84.013 (3) (bd) of the statutes is created to read:

1 84.013 (3) (bd) I 39/90 extending approximately 45 miles from USH 12/18 in
2 Dane County to the Illinois-Wisconsin state line in Rock County.

3 ***-1168/1.2* SECTION 2304.** 84.013 (3) (bh) of the statutes is created to read:
4 84.013 (3) (bh) STH 38 extending approximately 9 miles from CTH "K" in
5 Racine County to Oakwood Road in Milwaukee County.

6 ***-1168/1.3* SECTION 2305.** 84.013 (3) (bp) of the statutes is created to read:
7 84.013 (3) (bp) USH 10 and USH 10/STH 441 extending approximately 5 miles
8 from CTH "CB" in Winnebago County to Oneida Street in Calumet County.

9 ***-1168/1.4* SECTION 2306.** 84.013 (3) (bt) of the statutes is created to read:
10 84.013 (3) (bt) STH 15 extending approximately 11 miles from STH 76 to USH
11 45, near New London, in Outagamie County.

12 ***-1403/3.28* SECTION 2307.** 84.013 (4) (a) of the statutes is amended to read:
13 84.013 (4) (a) Subject to s. 13.489 (1m), in preparation for future major highway
14 projects, the department may perform preliminary engineering and design work and
15 studies for possible major highway projects not listed under sub. (3), but no major
16 highway may be constructed unless the project is listed under sub. (3) or approved
17 under sub. (6).

18 ***-1465/P3.769* *-1059/P3.503* SECTION 2308.** 84.013 (9) of the statutes is
19 amended to read:

20 84.013 (9) If the department, ~~in consultation with the department of commerce,~~
21 determines that a business development having a payroll exceeding \$10,000,000 in
22 a calendar year is being located within a 3-mile radius of the intersection of I 90 and
23 Town Line Road in Rock County, the department shall construct an interchange
24 funded from the appropriations under s. 20.395 (3) (cq) to (cx) off of I 90 to Town Line
25 Road.

1 ***-1403/3.29* SECTION 2309.** 84.014 (2) of the statutes is amended to read:

2 84.014 (2) Subject to ss. 84.555 and 86.255, any southeast Wisconsin freeway
3 rehabilitation projects, including the Marquette interchange reconstruction project
4 and projects that involve adding one or more lanes 5 miles or more in length to the
5 existing freeway, may be funded ~~only~~ from the appropriations under ss. 20.395 (3)
6 (cr), (ct), (cw), and (cy) and 20.866 (2) (uum) and (uup).

7 ***-1403/3.30* SECTION 2310.** 84.014 (6) of the statutes is created to read:

8 84.014 (6) (a) A southeast Wisconsin freeway rehabilitation project under this
9 section may not simultaneously be considered a southeast Wisconsin freeway
10 megaproject under s. 84.0145.

11 (b) Notwithstanding sub. (5m), a southeast Wisconsin freeway rehabilitation
12 project under this section may also be considered a major highway project, eligible
13 for funding under s. 84.013 (2) (a), if the project meets the criteria for a major
14 highway project under s. 84.013 (1) (a) and satisfies all applicable requirements
15 under ss. 13.489 and 84.013.

16 (c) Notwithstanding sub. (5m), a southeast Wisconsin freeway rehabilitation
17 project under this section may also be eligible for funding under s. 84.013 (2) (b) if
18 the project is not considered a southeast Wisconsin freeway megaproject under s.
19 84.0145 or a major highway project under s. 84.013.

20 ***-1403/3.31* SECTION 2311.** 84.0145 of the statutes is created to read:

21 **84.0145 Southeast Wisconsin freeway megaprojects. (1)** In this section:

22 (a) "I 94 north-south corridor" has the meaning given in s. 84.014 (5m) (ag) 1.

23 (b) "Southeast Wisconsin freeway" has the meaning given in s. 84.014 (1) (e).

(c) "Southeast Wisconsin freeway megaproject" means any project on a southeast Wisconsin freeway having a total cost of more than \$500 million, subject to adjustment under sub. (4).

(d) "Zoo interchange" has the meaning given in s. 84.014 (5m) (ag) 2.

(2) Subject to sub. (3) and s. 86.255, any southeast Wisconsin freeway megaproject may be funded only from the appropriations under ss. 20.395 (3) (aq), (av), (ax), and (ct) and 20.866 (2) (uup).

(3) (a) The department may not encumber or expend any moneys for construction of a southeast Wisconsin freeway megaproject unless the project is specifically enumerated in a list under par. (b).

(b) The department may provide funding for the following southeast Wisconsin freeway megaprojects:

1. The I 94 north-south corridor project.

2. The Zoo interchange project.

(4) The department shall annually adjust the amount specified in sub. (1) (c) to reflect the annual change in the Wisconsin Department of Transportation Price Index, Yearly Moving Average, as maintained by the department or, if at any time the department no longer maintains this index, another suitable index as determined by the department. Beginning in 2012, prior to October 1 of each year, the department shall compute the annual adjustment required under this subsection and shall publish the new adjusted amount applicable under sub. (1) (c), which amount shall become effective on October 1 of that year. The department may not adjust the amount specified in sub. (1) (c) to an amount less than that specified in sub. (1) (c).

***-1384/2.1* SECTION 2312.** 84.016 (2) of the statutes is amended to read:

84.016 (2) Notwithstanding ss. 84.013, 84.51, 84.52, 84.53, 84.555, and 84.95, but subject to ~~sub. (3) and~~ s. 86.255, this state's share of costs for any major interstate bridge project, including preliminary design work for the project, may be funded only from the appropriations under ss. 20.395 (3) (dq), (dv), and (dx) and 20.866 (2) (ugm).

***-1384/2.2* SECTION 2313.** 84.016 (3) of the statutes is repealed.

***-1465/P3.770* *-0808/2.257* SECTION 2314.** 84.075 (1c) (a) of the statutes is amended to read:

84.075 (1c) (a) "Disabled veteran-owned business" means a business certified by the department of ~~commerce~~ safety and professional services under s. 560.0335 ~~490.02~~ (3).

***-1465/P3.771* *-0808/2.258* SECTION 2315.** 84.075 (1c) (b) of the statutes is amended to read:

84.075 (1c) (b) "Minority business" means a business certified by the department of ~~commerce~~ safety and professional services under s. 560.036 ~~490.04~~ (2).

***-1465/P3.772* *-0808/2.259* SECTION 2316.** 84.075 (3) of the statutes is amended to read:

84.075 (3) The department shall at least semiannually, or more often if required by the department of administration, report to the department of administration the total amount of money it has paid to contractors, subcontractors, and vendors that are minority businesses and that are disabled veteran-owned businesses under ss. 84.01 (13), 84.06, and 84.07 and the number of contacts with minority businesses and disabled veteran-owned businesses in connection with proposed purchases and contracts. In its reports, the department shall include only amounts paid to businesses certified by the department of ~~commerce~~ safety and professional services as minority businesses or disabled veteran-owned businesses.

SECTION 2317

1 ***-1465/P3.773* *-0808/2.260* SECTION 2317.** 84.076 (1) (c) of the statutes is
2 amended to read:

3 84.076 (1) (c) "Minority business" has the meaning given under s. ~~560.036~~
4 490.04 (1) (e) 1.

5 ***-1465/P3.774* *-0808/2.261* SECTION 2318.** 84.076 (1) (d) of the statutes is
6 amended to read:

7 84.076 (1) (d) "Minority group member" has the meaning given under s.
8 ~~560.036~~ 490.04 (1) (f).

9 ***-1465/P3.775* *-0805/P2.20* SECTION 2319.** 84.09 (5) (a) of the statutes is
10 amended to read:

11 84.09 (5) (a) Subject to pars. (b) and (c) and to the approval of the governor, the
12 department may sell at public or private sale property of whatever nature owned by
13 the state and under the jurisdiction of the department when the department
14 determines that the property is no longer necessary for the state's use for
15 transportation purposes ~~and, if real property, the real property is not the subject of~~
16 ~~a petition under s. 560.9810 (2).~~ The department shall present to the governor a full
17 and complete report of the property to be sold, the reason for the sale, and the
18 minimum price for which the same should be sold, together with an application for
19 the governor's approval of the sale. The governor shall thereupon make such
20 investigation as he or she may deem necessary and approve or disapprove the
21 application. Upon such approval and receipt of the full purchase price, the
22 department shall by appropriate deed or other instrument transfer the property to
23 the purchaser. The approval of the governor is not required for public or private sale
24 of property having an appraised value at the time of sale of not more than \$15,000,
25 ~~for the transfer of surplus state real property to the department of administration~~

1 ~~under s. 560.9810~~, or for the transfer of surplus state personal property to the
2 department of tourism under sub. (5s). The funds derived from sales under this
3 subsection shall be deposited in the transportation fund, and the expense incurred
4 by the department in connection with the sale shall be paid from such fund.

5 ***-1465/P3.776* *-0805/P2.21* SECTION 2320.** 84.09 (5) (b) of the statutes is
6 amended to read:

7 84.09 (5) (b) Subject to the approval of the governor in the manner, scope, and
8 form specified in par. (a), with respect to the sale of property acquired by the
9 department for a project that is completed after May 25, 2006, the department shall,
10 and with respect to the sale of property acquired by the department for a project that
11 is completed before May 25, 2006, the department may offer for sale or transfer
12 ownership of the property that the department determines is no longer necessary for
13 the state's use for transportation purposes, ~~if the property is not the subject of a~~
14 ~~petition under s. 560.9810 (2).~~ This disposition process shall take place within 24
15 months of the completion of the transportation project for which the property was
16 acquired. Except as provided in par. (c) 3., the department shall offer limited and
17 general marketable properties at appraised value, as determined by a state-certified
18 or licensed appraiser, for not less than 12 months. If the department does not sell
19 the property at or above its appraised value, the department shall offer the property
20 for sale by means of sealed bids or public auction. For the purposes of this paragraph,
21 a project is completed when final payment is made under the contract for the project.

22 ***-1465/P3.777* *-0805/P2.22* SECTION 2321.** 84.09 (5r) of the statutes is
23 amended to read:

24 84.09 (5r) In lieu of the sale or conveyance of property under sub. (5) or (5m),
25 the department may, subject to the approval of the governor, donate real property

that is adjacent to the veterans memorial site located at The Highground in Clark County and owned by the state and under the jurisdiction of the department to the Wisconsin Vietnam Veterans Memorial Project, Inc., for the purpose of the veterans memorial site located at The Highground in Clark County for the purpose of a memorial hall specified in s. 70.11 (9). The department may donate property under this subsection only when the department determines that the property is no longer necessary for the state's use for transportation purposes ~~and is not the subject of a petition under s. 560.9810 (2)~~ and is transferred with a restriction that the donee may not subsequently transfer the real property to any person except to this state, which shall not be charged for any improvements thereon. Such restriction shall be recorded in the office of the register of deeds in the county in which the property is located. The department shall present to the governor a full and complete report of the property to be donated, the reason for the donation, and the minimum price for which the property could likely be sold under sub. (5), together with an application for the governor's approval of the donation. The governor shall thereupon make such investigation as he or she considers necessary and approve or disapprove the application. Upon such approval, the department shall by appropriate deed or other instrument transfer the property to the donee. The approval of the governor is not required for donation of property having an appraised value at the time of donation of not more than \$15,000. Any expense incurred by the department in connection with the donation shall be paid from the transportation fund.

~~*-1465/P3.778* *-1059/P3.504*~~ **SECTION 2322.** 84.185 (1) (a) of the statutes is amended to read:

84.185 (1) (a) "Business" ~~has the meaning given in s. 560.60 (2)~~ means a company located in this state, a company that has made a firm commitment to locate

1 a facility in this state, or a group of companies at least 80 percent of which are located
2 in this state.

3 ***-1465/P3.779* *-1059/P3.505* SECTION 2323.** 84.185 (1) (b) of the statutes
4 is amended to read:

5 84.185 (1) (b) "Governing body" ~~has the meaning specified in s. 560.60 (6)~~
6 means a county board, city council, village board, town board, regional planning
7 commission or transit commission under s. 59.58 (2) or 66.1021.

8 ***-1465/P3.780* *-1059/P3.506* SECTION 2324.** 84.185 (1) (ce) of the statutes
9 is amended to read:

10 84.185 (1) (ce) "Job" ~~has the meaning specified in s. 560.17 (1) (bm)~~ means a
11 position providing full-time equivalent employment. "Job" does not include initial
12 training before an employment position begins.

13 ***-1187/P4.423* SECTION 2325.** 84.27 of the statutes is amended to read:

14 **84.27 Institution roads.** The department may administer a program to
15 improve highways forming convenient connections between the University of
16 Wisconsin System, the University of Wisconsin-Madison, and state charitable or
17 penal institutions, and the state trunk highway system, or to construct roadways
18 under or over state trunk highways that pass through the grounds thereof, or to
19 construct and maintain all drives and roadways on such grounds or the grounds of
20 the state capitol. Within the limitations and for the purposes of this section, work
21 may be performed by or under the supervision or authority of the department, upon
22 the request for such work filed by the ~~board of regents~~ Board of Regents of the
23 University of Wisconsin System, the Board of Trustees of the University of
24 Wisconsin-Madison, or the state boards, commissions, departments or officers,
25 respectively, as to such work in connection with the institution controlled by them.

1 The cost of any work under this section shall be the responsibility of the board of
2 regents Board of Regents of the University of Wisconsin System, the Board of
3 Trustees of the University of Wisconsin-Madison, or the state boards, commissions,
4 departments or officers involved.

5 ***-0459/2.3* SECTION 2326.** 84.555 (1m) of the statutes is amended to read:

6 84.555 (1m) Notwithstanding sub. (1) and ss. 84.51 and 84.59, the proceeds of
7 general obligation bonds issued under s. 20.866 (2) (uum) are allocated for
8 expenditure obligations under s. 84.95 and s. 84.014 and the proceeds of general
9 obligation bonds issued under s. 20.866 (2) (uup) may be used to fund expenditure
10 obligations for the Marquette interchange reconstruction project under s. 84.014
11 and, for the reconstruction of the I 94 north-south corridor, as defined in s. 84.014
12 (5m) (ag) 1., and for the reconstruction of the Zoo interchange, as defined in s. 84.014
13 (5m) (ag) 2.

14 ***-1403/3.32* SECTION 2327.** 84.555 (1m) of the statutes is amended to read:

15 84.555 (1m) Notwithstanding sub. (1) and ss. 84.51 and 84.59, the proceeds of
16 general obligation bonds issued under s. 20.866 (2) (uum) are allocated for
17 expenditure obligations under s. 84.95 and s. 84.014 and the proceeds of general
18 obligation bonds issued under s. 20.866 (2) (uup) may be used to fund expenditure
19 obligations for the Marquette interchange reconstruction project under s. 84.014
20 and, for the reconstruction of the I 94 north-south corridor, as defined in s. 84.014
21 (5m) (ag) 1., and southeast Wisconsin freeway megaprojects under s. 84.0145.

****NOTE: When the budget bill is compiled, this provision will be reconciled with
the treatment of the same statute in LRB-0459.

22 ***-0803/2.4* SECTION 2328.** 84.59 (2) (b) of the statutes is amended to read:

84.59 (2) (b) The department may, under s. 18.562, deposit in a separate and distinct special fund outside the state treasury, in an account maintained by a trustee, revenues derived under ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2), (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2), and (2m), 341.17 (8), 341.19 (1) (a), 341.25, 341.255 (1), (2) (a), (b), and (c), and (5), 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), and (7), 341.264 (1), 341.265 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.269 (2) (b), 341.30 (3), 341.305 (3), 341.307 (4) (a), 341.308 (3), 341.36 (1) and (1m), 341.51 (2), and 342.14, ~~except s. 342.14 (1r)~~, and from any payments received with respect to agreements or ancillary arrangements entered into under s. 18.55 (6) with respect to revenue obligations issued under this section. The revenues deposited are the trustee's revenues in accordance with the agreement between this state and the trustee or in accordance with the resolution pledging the revenues to the repayment of revenue obligations issued under this section. Revenue obligations issued for the purposes specified in sub. (1) and for the repayment of which revenues are deposited under this paragraph are special fund obligations, as defined in s. 18.52 (7), issued for special fund programs, as defined in s. 18.52 (8).

***-0313/3.1* SECTION 2329.** 84.59 (6) of the statutes is amended to read:

84.59 (6) The building commission may contract revenue obligations when it reasonably appears to the building commission that all obligations incurred under this section can be fully paid from moneys received or anticipated and pledged to be received on a timely basis. Except as provided in this subsection, the principal amount of revenue obligations issued under this section may not exceed ~~\$3,009,784,200~~ \$3,351,547,300, excluding any obligations that have been defeased under a cash optimization program administered by the building commission, to be

1 used for transportation facilities under s. 84.01 (28) and major highway projects for
2 the purposes under ss. 84.06 and 84.09. In addition to the foregoing limit on principal
3 amount, the building commission may contract revenue obligations under this
4 section as the building commission determines is desirable to refund outstanding
5 revenue obligations contracted under this section, to make payments under
6 agreements or ancillary arrangements entered into under s. 18.55 (6) with respect
7 to revenue obligations issued under this section, and to pay expenses associated with
8 revenue obligations contracted under this section.

9 ***-1403/3.33* SECTION 2330.** 85.05 of the statutes is amended to read:

10 **85.05 Evaluation of proposed major highway projects.** The department
11 by rule shall establish a procedure for numerically evaluating projects considered for
12 enumeration under s. 84.013 (3) as a major highway project. The evaluation
13 procedure may include any criteria that the department considers relevant. The
14 rules shall establish a minimum score that a project shall meet or exceed when
15 evaluated under the procedure established under this section before the department
16 may recommend the project to the transportation projects commission for
17 consideration under s. 13.489 (4). This section does not apply to major highway
18 projects identified in s. 84.013 (3) (ad).

19 ***-1465/P3.781* *-0805/P2.23* SECTION 2331.** 85.09 (4i) of the statutes is
20 amended to read:

21 **85.09 (4i) DISPOSAL OF RAIL PROPERTY.** The department shall sell at public or
22 private sale rail property acquired under sub. (4) when the department determines
23 that the rail property is not necessary for a public purpose and, if real property, the
24 ~~real property is not the subject of a petition under s. 560.9810 (2).~~ Upon receipt of
25 the full purchase price, the department shall, by appropriate deed or other

instrument, transfer the rail property to the purchaser. The funds derived from sales under this subsection shall be deposited in the transportation fund, and the expense incurred by the department in connection with the sale shall be paid from the appropriation under s. 20.395 (2) (bq). This subsection does not apply to real property that is sold under s. 16.848.

***-1465/P3.782* *-1059/P3.507* SECTION 2332.** 85.09 (4m) of the statutes is amended to read:

85.09 (4m) RELOCATION PLAN. The department is exempt from s. 32.25 (1) if the department determines that acquiring rail property under this section will not result in any displaced persons as defined in s. 32.19 (2) (e). The department shall file a statement of its determinations with the ~~department of commerce~~ Wisconsin Housing and Economic Development Authority.

***-1465/P3.783* *-1059/P3.508* SECTION 2333.** 85.095 (2) (b) of the statutes is repealed.

***-1389/1.3* SECTION 2334.** 85.11 of the statutes is repealed.

***-0056/1.1* SECTION 2335.** 85.14 (title) of the statutes is amended to read:

85.14 (title) ~~Payments of fees and deposits by credit card, debit card, or other electronic payment mechanism; electronic transactions.~~

***-0056/1.2* SECTION 2336.** 85.14 (1) (a) of the statutes is amended to read:

85.14 (1) (a) The department may accept payment by credit card, debit card, or any other electronic payment mechanism of ~~a~~ any fee that is required to be paid to the department ~~under ch. 194, 218, 341, 342, 343 or 348.~~ The department shall determine which fees may be paid by credit card, debit card, or any other electronic payment mechanism and the manner in which the payments may be made. If the department permits the payment of a fee by credit card, debit card, or any other

1 electronic payment mechanism, the department may charge a convenience fee for
2 each transaction in an amount to be established by rule. The convenience fee shall
3 approximate the cost to the department for providing this service to persons who
4 request it. If the department permits the payment of a fee by credit card, debit card,
5 or any other electronic payment mechanism, the department may charge a service
6 fee of \$2.50 for each transaction until a rule is promulgated under this paragraph.

7 ***-0056/1.3* SECTION 2337.** 85.14 (3) of the statutes is created to read:

8 85.14 (3) The department may establish procedures for conducting any
9 transaction in an electronic format or using an electronic process. Any form
10 prescribed by the department may be prescribed in an automated format to facilitate
11 the department's authority under this subsection.

12 ***-0056/1.4* SECTION 2338.** 85.14 (4) of the statutes is created to read:

13 85.14 (4) The department may promulgate rules requiring a person to pay an
14 additional fee for conducting an in-person, telephone, or paper transaction in lieu
15 of using an electronic filing or submission option when the department has made an
16 electronic filing or submission option available. These rules may provide for
17 exemptions from the additional fee for designated categories of persons or
18 transactions. The fee authorized under this subsection is in addition to any other fee
19 that may be imposed by the department.

20 ***-0799/3.6* SECTION 2339.** 85.20 (4m) (a) 6. cm. of the statutes is amended to
21 read:

22 85.20 (4m) (a) 6. cm. From the appropriation under s. 20.395 (1) (ht), the
23 department shall pay ~~\$63,784,700 for aid payable for calendar year 2008,~~
24 ~~\$65,299,200 for aid payable for calendar year 2009,~~ \$66,585,600 for aid payable for
25 calendar year 2010, and \$68,583,200 for aid payable for calendar year 2011, and

1 \$61,724,900 for aid payable for calendar year 2012 and thereafter, to the eligible
2 applicant that pays the local contribution required under par. (b) 1. for an urban
3 mass transit system that has annual operating expenses of \$80,000,000 or more. If
4 the eligible applicant that receives aid under this subd. 6. cm. is served by more than
5 one urban mass transit system, the eligible applicant may allocate the aid between
6 the urban mass transit systems in any manner the eligible applicant considers
7 desirable.

8 ***-0799/3.7* SECTION 2340.** 85.20 (4m) (a) 6. cm. of the statutes, as affected by
9 2011 Wisconsin Act (this act), is amended to read:

10 85.20 (4m) (a) 6. cm. From the appropriation under s. 20.395 (1) (~~ht~~) (hc), the
11 department shall pay \$66,585,600 for aid payable for calendar year 2010,
12 \$68,583,200 for aid payable for calendar year 2011, and \$61,724,900 for aid payable
13 for calendar year 2012 and thereafter, to the eligible applicant that pays the local
14 contribution required under par. (b) 1. for an urban mass transit system that has
15 annual operating expenses of \$80,000,000 or more. If the eligible applicant that
16 receives aid under this subd. 6. cm. is served by more than one urban mass transit
17 system, the eligible applicant may allocate the aid between the urban mass transit
18 systems in any manner the eligible applicant considers desirable.

19 ***-0799/3.8* SECTION 2341.** 85.20 (4m) (a) 6. d. of the statutes is amended to
20 read:

21 85.20 (4m) (a) 6. d. From the appropriation under s. 20.395 (1) (hu), the
22 department shall pay ~~\$16,754,000 for aid payable for calendar year 2008,~~
23 ~~\$17,158,400 for aid payable for calendar year 2009,~~ \$17,496,400 for aid payable for
24 calendar year 2010, and \$18,021,300 for aid payable for calendar year 2011, and
25 \$16,219,200 for aid payable for calendar year 2012 and thereafter, to the eligible

1 applicant that pays the local contribution required under par. (b) 1. for an urban
2 mass transit system that has annual operating expenses in excess of \$20,000,000 but
3 less than \$80,000,000. If the eligible applicant that receives aid under this subd. 6.
4 d. is served by more than one urban mass transit system, the eligible applicant may
5 allocate the aid between the urban mass transit systems in any manner the eligible
6 applicant considers desirable.

7 ***-0799/3.9* SECTION 2342.** 85.20 (4m) (a) 6. d. of the statutes, as affected by
8 2011 Wisconsin Act (this act), is amended to read:

9 85.20 (4m) (a) 6. d. From the appropriation under s. 20.395 (1) (~~hu~~) (hd), the
10 department shall pay \$17,496,400 for aid payable for calendar year 2010,
11 \$18,021,300 for aid payable for calendar year 2011, and \$16,219,200 for aid payable
12 for calendar year 2012 and thereafter, to the eligible applicant that pays the local
13 contribution required under par. (b) 1. for an urban mass transit system that has
14 annual operating expenses in excess of \$20,000,000 but less than \$80,000,000. If the
15 eligible applicant that receives aid under this subd. 6. d. is served by more than one
16 urban mass transit system, the eligible applicant may allocate the aid between the
17 urban mass transit systems in any manner the eligible applicant considers desirable.

18 ***-0799/3.10* SECTION 2343.** 85.20 (4m) (a) 6. e. of the statutes is amended to
19 read:

20 85.20 (4m) (a) 6. e. From the appropriation under s. 20.395 (1) (~~hw~~) (he), the
21 department may pay the uniform percentage for each eligible applicant for a
22 commuter or light rail system that has been enumerated under s. 85.062 (3). An
23 eligible applicant may not receive aid under subd. 6. cm. or d., 7., or 8. for a commuter
24 rail or light rail transit system.

1 ***-0799/3.11* SECTION 2344.** 85.20 (4m) (a) 7. a. of the statutes is amended to
2 read:

3 85.20 (**4m**) (a) 7. a. From the appropriation under s. 20.395 (1) (~~hr~~) (ha),
4 beginning with aid payable for calendar year 2002 and for each calendar year
5 thereafter, the uniform percentage for each eligible applicant served by an urban
6 mass transit system operating within an urbanized area having a population as
7 shown in the 2000 federal decennial census of at least 50,000 or receiving federal
8 mass transit aid for such area, and not specified in subd. 6.

9 ***-0799/3.12* SECTION 2345.** 85.20 (4m) (a) 7. b. of the statutes is amended to
10 read:

11 85.20 (**4m**) (a) 7. b. For the purpose of making allocations under subd. 7. a., the
12 amounts for aids are ~~\$24,034,400 in calendar year 2008, \$24,614,500 in calendar~~
13 ~~year 2009, \$25,099,500 in calendar year 2010, and \$25,852,500 in calendar year~~
14 2011, and \$23,267,200 in calendar year 2012 and thereafter. These amounts, to the
15 extent practicable, shall be used to determine the uniform percentage in the
16 particular calendar year.

17 ***-0799/3.13* SECTION 2346.** 85.20 (4m) (a) 8. a. of the statutes is amended to
18 read:

19 85.20 (**4m**) (a) 8. a. From the appropriation under s. 20.395 (1) (~~hs~~) (hb),
20 beginning with aid payable for calendar year 2002 and for each calendar year
21 thereafter, the uniform percentage for each eligible applicant served by an urban
22 mass transit system operating within an area having a population as shown in the
23 2000 federal decennial census of less than 50,000 or receiving federal mass transit
24 aid for such area.

SECTION 2347

1 ***-0799/3.14* SECTION 2347.** 85.20 (4m) (a) 8. b. of the statutes is amended to
2 read:

3 85.20 (**4m**) (a) 8. b. For the purpose of making allocations under subd. 8. a., the
4 amounts for aids are ~~\$5,440,500 in calendar year 2008, \$5,571,800 in calendar year~~
5 ~~2009~~, \$5,681,600 in calendar year 2010, ~~and \$5,852,200 in calendar year 2011, and~~
6 \$5,267,000 in calendar year 2012 and thereafter. These amounts, to the extent
7 practicable, shall be used to determine the uniform percentage in the particular
8 calendar year.

9 ***-0799/3.15* SECTION 2348.** 85.20 (4s) of the statutes is amended to read:

10 85.20 (**4s**) PAYMENT OF AIDS UNDER THE CONTRACT. The contracts executed
11 between the department and eligible applicants under this section shall provide that
12 the payment of the state aid allocation under sub. (4m) (a) for the last quarter of the
13 state's fiscal year shall be provided from the following fiscal year's appropriation
14 under s. 20.395 (1) ~~(hr), (hs), (ht), (hu), or (hw)~~ (ha), (hb), (hc), (hd), or (he).

15 ***-1465/P3.784* *-0808/2.262* SECTION 2349.** 85.25 (2) (c) 1m. b. of the
16 statutes is amended to read:

17 85.25 (**2**) (c) 1m. b. It is currently performing a useful business function as
18 defined in s. ~~560.036~~ 490.04 (1) (h).

19 ***-1372/2.3* SECTION 2350.** 85.26 (1) (title) of the statutes is repealed.

20 ***-1372/2.4* SECTION 2351.** 85.26 (1) (intro.) and (a) of the statutes are
21 consolidated, renumbered 85.26 (1) and amended to read:

22 85.26 (**1**) In this section: ~~(a) "Intercity,~~ "intercity bus service" means regularly
23 scheduled bus service for the general public that operates with limited stops over
24 fixed routes connecting 2 or more urban areas not in close proximity, that has the
25 capacity for transporting baggage carried by passengers, and that makes meaningful

connections with scheduled intercity bus service to more distant points if service to more distant points is available.

***-1372/2.5* SECTION 2352.** 85.26 (1) (b) of the statutes is repealed.

***-1372/2.6* SECTION 2353.** 85.26 (1) (c) of the statutes is repealed.

***-1372/2.7* SECTION 2354.** 85.26 (2) (title) of the statutes is repealed.

***-1372/2.8* SECTION 2355.** 85.26 (2) (a) (intro.) and 1. of the statutes are consolidated, renumbered 85.26 (2) (a) and amended to read:

85.26 (2) (a) The department ~~shall develop and administer an intercity bus assistance program to increase the availability of intercity bus service in this state. Under this program, the department may do any of the following: 1. Contract may~~ contract with private providers of intercity bus service to support intercity bus service routes of the provider.

***-1372/2.9* SECTION 2356.** 85.26 (2) (a) 2. of the statutes is repealed.

***-1372/2.10* SECTION 2357.** 85.26 (2) (b) (intro.) of the statutes is amended to read:

85.26 (2) (b) (intro.) All expenditures ~~under the program~~ for contracts under par. (a) shall be made from the appropriations appropriation under s. 20.395 (1) ~~(bq), (bv), and (bx).~~ The department may not enter into any contract under par. (a) 1., or award any grant under par. (a) 2., that provides funds to support any intercity bus service route in an amount exceeding the lesser of the following:

***-1372/2.11* SECTION 2358.** 85.26 (2) (b) 1. of the statutes is repealed.

***-1372/2.12* SECTION 2359.** 85.26 (2) (b) 2. of the statutes is repealed.

***-1372/2.13* SECTION 2360.** 85.26 (2) (c) of the statutes is repealed.

***-0352/3.1* SECTION 2361.** 86.30 (2) (a) 3. of the statutes is amended to read:

86.30 (2) (a) 3. For each mile of road or street under the jurisdiction of a municipality as determined under s. 86.302, the mileage aid payment shall be ~~\$1,956 in calendar year 2008, \$2,015 in calendar year 2009, \$2,055 in calendar year 2010, and \$2,117 in calendar year 2011, and \$2,053 in calendar year 2012~~ and thereafter.

***-0352/3.2* SECTION 2362.** 86.30 (2) (b) 1. of the statutes is amended to read:

86.30 (2) (b) 1. Except as provided under par. (d) and s. 86.303 (5), no municipality whose aid is determined under par. (a) 2. may receive an increase in its annual transportation aid payment in excess of 15% of its last previous calendar year aid payment or a decrease in its annual transportation aid payment in excess of 5% 15 percent of its last previous calendar year transportation aid payment.

***-0352/3.3* SECTION 2363.** 86.30 (2) (b) 1g. of the statutes is amended to read:

86.30 (2) (b) 1g. Except as provided under par. (d) and s. 86.303 (5), no municipality whose aid is determined under par. (a) 3. may receive a decrease in its annual transportation aid payment in excess of ~~5%~~ 15 percent of its last previous calendar year transportation aid payment.

***-0352/3.4* SECTION 2364.** 86.30 (2) (b) 1r. of the statutes is amended to read:

86.30 (2) (b) 1r. Except as provided under s. 86.303, no county may receive an increase in its annual transportation aid payment in excess of 15% of its last previous calendar year aid payment. Except as provided under par. (dm) and s. 86.303, no county may receive a decrease in its annual transportation aid payment in excess of ~~2%~~ 15 percent of its last previous calendar year transportation aid payment.

***-0352/3.5* SECTION 2365.** 86.30 (9) (b) of the statutes is amended to read:

86.30 (9) (b) For the purpose of calculating and distributing aids under sub. (2), the amounts for aids to counties are ~~\$96,492,900 in calendar year 2008, \$99,387,700 in calendar year 2009, \$101,375,500 in calendar year 2010, and \$104,416,800 in~~

1 calendar year 2011, and \$93,975,100 in calendar year 2012 and thereafter. These
2 amounts, to the extent practicable, shall be used to determine the statewide county
3 average cost-sharing percentage in the particular calendar year.

4 ***-0352/3.6* SECTION 2366.** 86.30 (9) (c) of the statutes is amended to read:

5 86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2),
6 the amounts for aids to municipalities are ~~\$303,578,100 in calendar year 2008,~~
7 ~~\$312,685,400 in calendar year 2009,~~ \$318,939,100 in calendar year 2010, ~~and~~
8 \$328,507,300 in calendar year 2011, and \$295,656,600 in calendar year 2012 and
9 thereafter. These amounts, to the extent practicable, shall be used to determine the
10 statewide municipal average cost-sharing percentage in the particular calendar
11 year.

12 ***-0352/3.7* SECTION 2367.** 86.303 (5) (e) of the statutes is amended to read:

13 86.303 (5) (e) Except as provided in par. (f), if a county or municipality fails to
14 submit a substantially complete and accurate financial report form by the applicable
15 date under par. (c) or (d) each year, the aids payable to the county or municipality
16 during the following year shall be equal to ~~90%~~ 85 percent of the aids actually paid
17 to the county or municipality under s. 86.30 (2) during the preceding year.

18 ***-0352/3.8* SECTION 2368.** 86.303 (5) (f) 2. of the statutes is amended to read:

19 86.303 (5) (f) 2. The amount of aids payable to the county or municipality under
20 s. 86.30 (2) during the following year may not be reduced to less than ~~90%~~ 85 percent
21 of the aids actually paid to the county or municipality under s. 86.30 (2) during the
22 preceding year.

23 ***-0352/3.9* SECTION 2369.** 86.303 (5) (h) of the statutes is amended to read:

24 86.303 (5) (h) Except as provided in par. (i), if a county or municipality under
25 par. (g) fails to submit the financial reports required under par. (g) by July 31 each

1 year, the aids payable to the county or municipality during the following year shall
2 be equal to ~~90%~~ 85 percent of the aids actually paid to the county or municipality
3 under s. 86.30 (2) during the preceding year.

4 ***-0352/3.10* SECTION 2370.** 86.303 (5) (i) 2. of the statutes is amended to read:

5 86.303 (5) (i) 2. The amount of aids payable to the county or municipality under
6 s. 86.30 (2) during the following year may not be reduced to less than ~~90%~~ 85 percent
7 of the aids actually paid to the county or municipality under s. 86.30 (2) during the
8 preceding year.

9 ***-0352/3.11* SECTION 2371.** 86.303 (7) (b) of the statutes is amended to read:

10 86.303 (7) (b) If the county or municipality fails to conduct an independent
11 audit when ordered to do so by the department, the aids payable during the following
12 year shall be equal to ~~90%~~ 85 percent of the aids actually paid during the preceding
13 year. If the department has reason to believe that the ~~90%~~ 85 percent payment will
14 be greater than the actual payment should be, the department may itself order an
15 independent audit and deduct the audit costs from the transportation aids paid to
16 the county or municipality under s. 86.30 (2). Any underpayment or overpayment
17 of aids resulting from financial reporting errors shall be rectified by adjusting aids
18 paid in the following year.

19 ***-1284/1.10* SECTION 2372.** 91.04 (2) (j) of the statutes is amended to read:

20 91.04 (2) (j) Rezoning of land out of farmland preservation zoning districts
21 under s. 91.48, ~~including the amounts of conversion fees paid to political subdivisions~~
22 ~~under s. 91.48 (1) (b).~~

23 ***-1284/1.11* SECTION 2373.** 91.48 (1) (intro.) of the statutes is amended to
24 read:

1 91.48 (1) (intro.) A political subdivision with a certified farmland preservation
2 zoning ordinance may rezone land out of a farmland preservation zoning district
3 without having the rezoning certified under s. 91.36, if all of the following apply the
4 political subdivision finds all of the following, after public hearing:

5 *-1284/1.12* SECTION 2374. 91.48 (1) (a) (intro.) of the statutes is repealed.

6 *-1284/1.13* SECTION 2375. 91.48 (1) (a) 1. to 4. of the statutes are renumbered
7 91.48 (1) (a) to (d).

8 *-1284/1.14* SECTION 2376. 91.48 (1) (b) of the statutes is repealed.

9 *-1284/1.15* SECTION 2377. 91.48 (2) (intro.) and (a) of the statutes are
10 consolidated, renumbered 91.48 (2) and amended to read:

11 91.48 (2) A political subdivision shall by March of 1 of each year provide ~~all of~~
12 ~~the following~~ to the department: ~~(a) A~~ a report of the number of acres that the
13 political subdivision has rezoned out of a farmland preservation zoning district
14 under sub. (1) during the previous year and a map that clearly shows the location of
15 those acres.

16 *-1284/1.16* SECTION 2378. 91.48 (2) (b) and (c) of the statutes are repealed.

17 *-1284/1.17* SECTION 2379. 91.48 (3) of the statutes is amended to read:

18 91.48 (3) A political subdivision that is not a county shall by March 1 of each
19 year submit a copy of the information that it reports to the department under sub.
20 (2) ~~(a) and (b)~~ to the county in which the political subdivision is located.

21 *-1284/1.18* SECTION 2380. 91.49 of the statutes is repealed.

22 *-1187/P4.424* SECTION 2381. 92.025 (4) of the statutes is amended to read:

23 92.025 (4) INTERIM GOAL; STATE-RUN FARMS. The soil erosion rate on individual
24 cropland fields of farms owned by the University of Wisconsin System, the University

1 of Wisconsin-Madison, or any other department or agency of state government does
2 not exceed the tolerable soil erosion level on or after July 1, 1990.

3 ***-1187/P4.425* SECTION 2382.** 92.04 (2) (g) of the statutes is amended to read:

4 92.04 (2) (g) *Advise the University of Wisconsin System and University of*
5 *Wisconsin-Madison*. The board shall advise the University of Wisconsin System and
6 University of Wisconsin-Madison annually on needed research and educational
7 programs relating to soil and water conservation.

8 ***-1187/P4.426* SECTION 2383.** 92.05 (3) (d) of the statutes is amended to read:

9 92.05 (3) (d) *Advise University of Wisconsin System and University of*
10 *Wisconsin-Madison*. The department shall advise the University of Wisconsin
11 System and University of Wisconsin-Madison annually on developing research and
12 educational programs relating to soil and water conservation.

13 ***-1187/P4.427* SECTION 2384.** 92.07 (5) of the statutes is amended to read:

14 92.07 (5) EDUCATIONAL AND OTHER PROGRAMS. Each land conservation
15 committee may encourage research and educational, informational and public
16 service programs, advise the University of Wisconsin-Madison and University of
17 Wisconsin System on educational needs and assist the University of
18 Wisconsin-Madison and University of Wisconsin System and the department in
19 implementing educational programs under ss. ~~36.25~~ 37.25 (7), 59.56 (3) and 92.05.

****NOTE: Given that s. 36.25 (7) is transferred to s. 37.25 (7), is it okay to refer to
both the UW and the UW System in the above?

20 ***-1465/P3.785* *-1369/1.5* SECTION 2385.** 92.07 (15) of the statutes is
21 amended to read:

22 92.07 (15) ADMINISTRATION AND ENFORCEMENT OF ORDINANCES. A land
23 conservation committee may, if authorized by the county board, administer and

1 enforce those provisions of an ordinance enacted under s. 101.65 (1) (a) related to
2 construction site erosion, a zoning ordinance enacted under s. 59.693 or an ordinance
3 enacted under authority granted under s. ~~281.33 (3m)~~ 101.1206.

4 ***-1465/P3.786* *-1059/P3.509* SECTION 2386.** 93.07 (3) of the statutes is
5 amended to read:

6 93.07 (3) PROMOTION OF AGRICULTURE. To promote the interests of agriculture,
7 dairying, horticulture, manufacturing, commercial fishing and the domestic arts and
8 to advertise Wisconsin and its dairy, food, and agricultural products by conducting
9 campaigns of education throughout the United States and in foreign markets. Such
10 campaigns shall include the distribution of educational and advertising material
11 concerning Wisconsin and its plant, animal, food, and dairy products. The
12 department shall coordinate efforts by the state to advertise and promote
13 agricultural products of this state, with the ~~department of commerce~~ Wisconsin
14 Economic Development Corporation where appropriate. The department shall
15 submit its request and plan for market development program expenditures for each
16 biennium with its biennial budget request. The plan shall include the identification
17 and priority of expenditures for each market development program activity.

18 ***-1465/P3.787* *-1059/P3.510* SECTION 2387.** 93.07 (18) (b) (intro.) of the
19 statutes is amended to read:

20 93.07 (18) (b) (intro.) In consultation with the ~~department of commerce~~
21 Wisconsin Economic Development Corporation, to do all of the following for each
22 economic development program administered by the department of agriculture,
23 trade and consumer protection:

24 ***-1465/P3.788* *-1059/P3.511* SECTION 2388.** 93.07 (20) (title) of the
25 statutes is amended to read:

1 93.07 (20) (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND
2 REPORTING.

3 ***-1465/P3.789* *-1059/P3.512* SECTION 2389.** 93.07 (20) of the statutes is
4 renumbered 93.07 (20) (b) and amended to read:

5 93.07 (20) (b) Annually, no later than October 1, to submit to the joint
6 legislative audit committee and to the appropriate standing committees of the
7 legislature under s. 13.172 (3) a comprehensive report assessing economic
8 development programs, as defined in sub. (18) (a), administered by the department.
9 The report shall include all of the information required under s. ~~560.01 (2) (am)~~
10 238.07 (2). The department shall collaborate with the ~~department of commerce~~
11 Wisconsin Economic Development Corporation to make readily accessible to the
12 public on an Internet-based system the information required under this subsection.

13 ***-1465/P3.790* *-1059/P3.513* SECTION 2390.** 93.07 (20) (a) of the statutes
14 is created to read:

15 93.07 (20) (a) The department shall coordinate any economic development
16 assistance with the Wisconsin Economic Development Corporation.

17 ***-1224/P2.17* SECTION 2391.** 93.07 (26) of the statutes is amended to read:

18 93.07 (26) ALTERNATIVE FUEL REFUELING FACILITIES. To pursue ~~in cooperation~~
19 ~~with the office of energy independence~~, the establishment and maintenance of
20 sufficient alternative fuel refueling facilities at public retail outlets to meet the
21 traveling needs of the public.

22 ***-1465/P3.791* *-1059/P3.514* SECTION 2392.** 93.33 (5) (intro.) of the
23 statutes is amended to read:

24 93.33 (5) ANNUAL REPORT. (intro.) In September of each year, the council shall
25 submit a report to the appropriate standing committees of the legislature as

determined by the speaker of the assembly and the president of the senate, under s. 13.172 (3), the governor, the secretary of agriculture, trade and consumer protection, the state superintendent of public instruction, the secretary of workforce development, the secretary of natural resources, the ~~secretary of commerce~~ chief executive officer of the Wisconsin Economic Development Corporation, the president of the University of Wisconsin System, the director of the technical college system, the chancellor of the University of Wisconsin-Extension, the chancellor of the University of Wisconsin-Madison, the chancellor of the University of Wisconsin-Platteville, the chancellor of the University of Wisconsin-River Falls, and the chancellor of the University of Wisconsin-Stevens Point. The council shall include all of the following in the report:

***-1465/P3.792* *-1059/P3.515* SECTION 2393.** 93.42 (1) (e) of the statutes is amended to read:

93.42 (1) (e) Cooperating with the ~~department of commerce~~ Wisconsin Economic Development Corporation in promoting the state's products through the state's foreign trade offices.

***-1465/P3.793* *-1059/P3.516* SECTION 2394.** 93.42 (3) of the statutes is repealed.

***-1363/1.2* SECTION 2395.** 93.45 of the statutes is repealed.

***-0157/3.1* SECTION 2396.** 93.46 (1) (am) of the statutes is repealed.

***-1465/P3.794* *-1059/P3.517* SECTION 2397.** 93.46 (1) (am) of the statutes is amended to read:

93.46 (1) (am) ~~Jointly with the department of commerce, conduct~~ Conduct research and develop long-range plans to promote and establish deer farms.

***-0157/3.2* SECTION 2398.** 93.46 (2) (c) of the statutes is amended to read:

SECTION 2398

93.46 (2) (c) The department may not fund any project under this subsection if the proposed length of the project exceeds 3 years. The total funding to a single project under this subsection may not exceed \$50,000 \$100,000.

***-0157/3.3* SECTION 2399.** 93.46 (2) (d) of the statutes is repealed.

***-1363/1.3* SECTION 2400.** 93.48 of the statutes is repealed.

***-1284/1.19* SECTION 2401.** 93.73 of the statutes is repealed.

***-1465/P3.795* *-0808/2.263* SECTION 2402.** 93.80 of the statutes is amended to read:

93.80 Arsenic in wood. The department, jointly with the department of ~~commerce~~ safety and professional services, shall review scientific evidence to determine whether there is a substantial likelihood that wood treated with copper, chromium, and arsenic is harmful to the environment or to human health.

***-1224/P2.18* SECTION 2403.** 96.01 (4m) of the statutes is amended to read:

96.01 (4m) "Bioenergy feedstock" ~~has the meaning given in s. 16.954 (1) (b)~~ means biomass used to produce energy, including transportation fuel, heat, or electricity.

***-0721/6.3* SECTION 2404.** 100.14 (2) of the statutes is amended to read:

100.14 (2) ~~The secretary of state~~ department of financial institutions shall, upon application of the department of agriculture, trade and consumer protection, record any such label or trademark under ss. 132.01 to 132.11. The department of agriculture, trade and consumer protection shall be entitled to protect such label or trademark under said sections and in any other manner authorized by law.

***-1465/P3.796* *-0808/2.264* SECTION 2405.** 100.20 (2) (c) of the statutes is created to read: